

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA)
)
)
v.)
)
VICTOR ENRIQUE DIAZ,) Docket no. 2:13-cr-00029-GZS
)
)
)
Defendant.)

SECOND PROCEDURAL ORDER ON PRO SE MOTION FOR COMPASSIONATE RELEASE

On May 4, 2021, the Court reserved ruling on Defendant's pro se Motion for Compassionate Release (ECF No. 946) and asked the Government to state its position on whether Defendant had exhausted his administrative remedies prior to filing his request with this Court. The Government has now indicated that Defendant did not exhaust and, as a result, the Government objects to Defendant's Motion (ECF No. 946). See ECF No. 949. Likewise, Defendant has responded to the Court's prior procedural order indicating that he is now attempting to exhaust his administrative remedies, but he needs additional time to do so. See ECF No. 950. In light of these responses, the Court hereby DENIES Defendant's Motion (ECF 946) without prejudice to Defendant renewing this Motion once he can assert that he has filed a request for compassionate release with BOP and, either had his request denied, or received no response within thirty days of filing.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 19th day of May, 2021.